

# In the United States Court of Federal Claims

Joshua D. Fike \_\_\_\_\_ )  
Heather M. Fike \_\_\_\_\_ )  
Plaintiff(s), \_\_\_\_\_ )  
v. \_\_\_\_\_ )  
THE UNITED STATES, \_\_\_\_\_ )  
Defendant. \_\_\_\_\_ )  
Thorent LLC / Bol-Aire Apts \_\_\_\_\_ )  
Terry Parent, Owner \_\_\_\_\_ )  
Bonita Hirsch, Manager \_\_\_\_\_ )

Case No. \_\_\_\_\_

Judge \_\_\_\_\_

## COMPLAINT

Your complaint must be clearly handwritten or typewritten, and you must sign and declare under penalty of perjury that the facts are correct. If you need additional space, you may use another blank page.

If you intend to proceed without the prepayment of filing fees (*in forma pauperis* (IFP)), pursuant to 28 U.S.C. § 1915, you must file along with your complaint an application to proceed IFP.

- 1. JURISDICTION.** State the grounds for filing this case in the United States Court of Federal Claims. The United States Court of Federal Claims has limited jurisdiction (*see e.g.*, 28 U.S.C. §§ 1491-1509).

See attached documentation.

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**2. PARTIES**

Plaintiff, Joshua J. Fille, resides at 2021 N. Tupper apt 27  
(Street Address)

Hobbs, NY, 88240,  
(City, State, ZIP Code) (575) 390-6278  
(Telephone Number)

If more than one plaintiff, provide the same information for each plaintiff below.

Heather M. Fille - 2021 N. Tupper apt. 27 Hobbs, NY 88240  
(910) 977-5174

**RELATED CASES.** Is this case directly related to any pending or previously filed cases in the United States Court of Federal Claims?  Yes  No

If yes, please list the case(s) below, including case number(s):

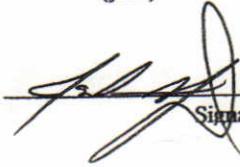
**3. STATEMENT OF THE CLAIM.** State as briefly as possible the facts of your case. Describe how the United States is involved. You must state exactly what the United States did, or failed to do, that has caused you to initiate this legal action. Be as specific as possible and use additional paper as necessary.

HUD case contacted due to discriminatory refuse to rent discriminatory terms, conditions, privileges, or services and facilities, discriminatory acts under Section 818 (coercion, etc.) and failure to make reasonable accommodations. This file was/is against the defendants named in this claim. HUD failed to do their due diligence and allowed false information without verification. They failed to interview all witnesses presented to the case. The Magistrate Court refused to all evidence presented in the case, stating it was irrelevant. The court violated Procedural Law by not entertaining Perjury Charges, when brought to their attention. District Court admitted to being unable to listen to all the evidence presented, as it would interfere with a Federal Case.

**4. RELIEF.** Briefly state exactly what you want the court to do for you.

The defendants, Thorent LLC./301-Ave Apartments, Terry Parent, and  
Barbara Thornt be mandated to offend disability Training and Awareness.  
As well as, pay punitive damages in the amount of \$200,000.00, to  
include but not limited to all State and Federal Court costs and all  
attorneys, both State and Federal, app's.  
I declare under penalty of perjury that the foregoing is true and correct.

Signed this 11<sup>th</sup> day of December, 2018.  
(day) (month) (year)

  
Signature of Plaintiff(s)

BONNIE HIESEL, Manager

Bel-Aire Apartments

2021 N. Jefferson St, #3

Hobbs, NM 88240

Thorent LLC., Owner

Bel Aire Apartments DBA Centerline Mortgage Capital Inc.

11501 Outlook Street, Suite 300

Overland Park, KS 66211

Terry Parent, Owner

11501 Outlook Street, Suite #300

Overland Park. KS 66211

**8. The following is a brief and concise statement of the facts regarding the alleged violation:**

Complainant feels he was subjected to different terms, conditions, privileges, or services and facilities, refused rental, refused a reasonable accommodation, and suffered harassment due to his disability. Complainant is a Veteran with two emotional support animals prescribed by the VA Medical Center. On July 30, 2015, complainant moved into the Bel-Aire Apartments. At that time, he had one Service Animal (dog) approved by a prior manager. Respondent and Manager, Bonnie Hiesel, has been the new manager for one year. On May 24, 2018, complainant obtained a new dog as an additional Service Animal. He did not obtain his VA letter for it being a Service Animal until after the weekend. On Saturday, May 26, 2018, complainant was walking his new dog on the property. Bonnie Hiesel saw the dog and immediately gave the complainant 30 days to get rid of the dog or be evicted. Complainant told Bonnie Hiesel that he was going to provide a letter from the VA stating the new dog was also a Service Animal. Bonnie Hiesel told the complainant that she did not care and since he did not get prior permission to get a second Service Animal, that he would be evicted. Complainant located the owner of the property, Respondent, Terry Parent, who told him to "Get rid of the dog, or we will evict you. You are not a United States Veteran. I do not believe you. You are trying to defraud the U. S. Military!" Once complainant obtained the letter from the VA showing his new dog to be a Service Animal, he tried to provide it to the respondent(s). Complaint's request to be allowed to keep his second Service Animal was ignored.

On May 31, 2018, complainant was threatened by two of his neighbors. They live in Apartments 12 and 29. When complainant told Bonnie Hiesel of his concerns, she stated, "I know who they are, and do not call the police. I will handle it." Complainant believes that Bonnie Hiesel is friends with those two tenants causing her to ignore his concerns about their actions.

24, 2018. Complainant believes he was subjected to this discriminatory treatment, refused his reasonable accommodation request, and evicted due to his disability.

9. The most recent date on which the alleged discrimination occurred:

July 10, 2018, and is continuing.

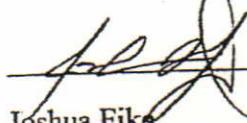
10. Types of Federal Funding Identified: n/a

11. The acts alleged in this complaint, if proven, may constitute a violation of the following sections:

804a or f, 804b or f, 818, 804(f)(1), 804(f)(2), and 804f3B of Title VIII of the Civil Rights Act of 1968 as amended by the Fair Housing Act of 1988.

Please sign and date this form:

I declare under penalty of perjury that I have read this complaint (including any attachments) and that it is true and correct.



Joshua Fike

7-11-18

Date

**N O T E: HUD WILL FURNISH A COPY OF THIS COMPLAINT TO THE PERSON OR ORGANIZATION AGAINST WHOM IT IS FILED.**